

Joint Public Notice

Date: 29 Jan 04

Public Notice No.

Closing Date: 27 Feb 04

Phone: (502) 315-6691

199900459

US Army Corps of Engineers Louisville District Detroit District Please address all comments and inquiries to: U.S. Army Corps of Engineers, Louisville District

ATTN: Ms. Amy S. Babey, CELRL-OP-FN

P.O. Box 59

Louisville, Kentucky 40201-0059

OPPORTUNITY FOR PUBLIC COMMENT ON REVISIONS AND REISSUANCE OF A REGIONAL GENERAL PERMIT FOR ACTIVITIES IN WATERS OF THE UNITED STATES WITHIN THE STATE OF INDIANA

This notice announces a proposal by the Louisville and Detroit Districts U.S. Army Corps of Engineers (the Districts), to reissue a Regional General Permit (RGP) under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA). This review is in accordance with Title 33 CFR 325.5(b)(2) and 325.5(c)(1), as published in the Federal Register, Volume 51, No. 219.

<u>Background</u>: On February 11, 2000, the Districts issued RGP No. 001 in Louisville District, (Permit No. 99-100-003-0 in Detroit District) for activities that are similar in nature and cause minimal individual and cumulative impacts to the aquatic environment. The RGP is scheduled to expire on <u>February 11, 2005</u>. The RGP is based on coordinating the regulatory effort of Federal and State agencies and has effectively reduced duplication with the Indiana Department of Environmental Management (IDEM) Section 401 Water Quality Certification (WQC) process. The Districts, the U.S. Environmental Protection Agency (USEPA), the U.S. Fish and Wildlife Service (USFWS), the IDEM and the Indiana Department of Natural Resources support the concept of the RGP to reduce confusion and duplication and believe that the agencies can more effectively coordinate related program requirements if duplication is minimized.

Since issuance of the RGP, the IDEM revised the Section 401 WQC and the Notification Form. Additionally, the Corps (at the national level) reissued the Nationwide Permit (NWP) Program, effective on March 18, 2002. These actions, as well as interagency reviews, prompted the Districts to propose revisions to this RGP. For ease of reference, all revisions are reflected in **bold print**.

The RGP was designed to replace many of the NWPs. If the RGP is reissued, the Districts plan to maintain suspensions of these NWPs. (See Status of Nationwide Permits Section of the Notice). The RGP has simplified and enhanced the effective regulation of waters and wetlands in Indiana and with the proposed revisions will further assure that only those activities that have minimal individual and cumulative impacts will be authorized by the RGP.

The RGP has provided a statewide process for evaluating minor development activities in waters of the U.S. within Indiana. The RGP has been effective in reducing duplication between Federal and State permit programs. If reissued, the RGP would be available to authorize activities where the 401 WQC has been issued. Certain activities that impact 1 acre or less and have a valid 401 WQC would be eligible for this RGP.

The RGP would continue to require applicants to identify and resolve aquatic resource impacts and provide mitigation at the State level first with the IDEM through the Section 401 WQC process. This would minimize confusion, duplication and result in a more consistent product among the Federal and State Regulatory programs in Indiana. Under the RGP the Districts would continue to review a specific project's 401 certification issued by the IDEM to ensure that it contains the special conditions necessary to minimize the individual and cumulative impacts on the aquatic environment from the Federal perspective, before verifying that an activity is authorized by this RGP. The Districts would add special conditions, as necessary, to assure that impacts are minimal.

Any activity proposed in or work affecting the course, location, condition, or capacity of a navigable water that does not involve the discharge of dredged or fill material requires authorization under Section 10 of the Rivers and Harbors Act and no WQC is required. The Districts would continue to evaluate proposed Section 10 activities using the RGP, and authorize only those activities that have minimal individual and cumulative impacts.

Under the RGP, the Districts will continue to coordinate proposed activities with the USFWS to satisfy the requirements of the Endangered Species Act and the Indiana State Historic Preservation Officer (SHPO) to satisfy the requirements of the National Historic Preservation Act.

If the RGP is reissued the Louisville District will discontinue the Letter of Permission (LOP) process for bank stabilization activities at Morse and Geist Reservoirs. These activities would be subject to authorization under the RGP. This change is addressed in the "Notification Requirements".

The public will benefit from having a simplified and abbreviated Federal permit process that allows activities with minimal impact, that have clear impact thresholds, review procedures, and mitigation requirements to be authorized by an RGP. Such an approach reduces duplication at the Federal and State levels by relying on the IDEM WQC review. This allows the districts to more effectively utilize their limited resources on projects with more than minimal impact, for compliance inspections of issued permits, investigating unauthorized activities, and public outreach and education.

<u>Categories of Activities Covered by the Regional Permit:</u>

1. New Construction: This category authorizes activities associated with the construction or installation of new facilities or structures. Typically, these include residential, commercial, industrial,

institutional, and recreational activities that have been granted a Section 401 WQC from the IDEM, if required. These activities include but are not limited to shoreline and streambank protection, filling and grading, dredging, channelization, boat mooring, launching ramps, stormwater, sediment, and erosion control activities, roads, infrastructures and utilities, provided the individual and cumulative impacts are minimal.

2. Agriculture/Mining: This category authorizes activities for agriculture and mining (excluding surface coal mining, see Nationwide Permit 21). These include but are not limited to work or discharges of dredged or fill material associated with buildings or work pads, stock piling of material, staging/loading/unloading areas, roads, land leveling, berms, dikes, dams, ditch construction, drainage facilities, and erosion and water control activities that have been granted a Section 401 WQC from the IDEM, if required. The revised RGP would not affect those agricultural and mining activities that are exempt in accordance with 33 CFR Part 232.4.

Maximum Limitations:

- 1. Discharges of dredged or fill material are limited to 1 acre or less of "waters of the United States," including adjacent wetlands;
- 2. Dredging in navigable waters is limited to 10,000 cubic yards;
- 3. Structures and fills for docking and mooring are limited to similar permitted structures and fills in the vicinity;
- 4. Discharges of dredged or fill material into Lake Michigan are limited to 0.1 acre except for bank stabilization.

Impacts resulting from filling greater than 0.1 acre of special aquatic sites or work causing more than minimal effects will require mitigation to compensate for impacts to the stream, special aquatic site or wetlands affected. Other work or structures in navigable waters will be evaluated and must include mitigation to reduce the impacts to the minimum level. The work that would be authorized by the RGP would also be subject to the attached General Conditions and any Special Conditions necessary to reduce the impacts to the minimum level.

Notification/Application Requirements:

Applicants are required to submit either the IDEM RGP Notification form or the IDEM WQC application depending upon the activity's location or the amount of impact. The following table summarizes the type of notification/application to be submitted and which agency to submit it to:

Proposed Work		Type of Application or Notification Required		Send To	
_		IDEM WQC Application	IDEM RGP Notification Form [#]	IDEM	Corps
Discharge > 0.1 acre but ≤ 1.0 acre		X		X	X
Discharge ≤ 0.1 acre	In wetlands		X	X	X
	In other waters		X	X	
Work in navigable waters		X		X	X
Shore protection projects in Adams, Allen, DeKalb, Elkhart, Jasper, Kosciusko, LaPorte, Lagrange, Lake, Marshall, Newton, Noble, Porter, St. Joseph, Starke, Steuben and Whitley Counties, or on Morse or Geist Reservoirs in Marion and Hamilton Counties			X	X	Х

The following paragraphs explain the table and highlight proposed revisions to the RGP.

- 1. If the proposed discharge in Indiana waters would impact more than 0.1 acre, up to 1.0 acre, a formal Section 401 WQC application must be submitted to the IDEM and a copy furnished to the Corps.
- 2. If the proposed discharge in Indiana waters would impact 0.1 acre or less, the RGP Notification form must be submitted to the IDEM and in some instances to the Corps. The Corps does not require notification where the footprint of the fill is 0.1 acre or less unless the work is located in wetlands, or navigable waters (see "c" below) or the work involves shore protection in specified counties (see "d" below).
- 3. If the proposed discharge or if any work would be performed in navigable waters in Indiana (regardless of the acreage or linear foot limitations), a Section 401 WQC application must be submitted to both the IDEM and the Corps.
- 4. If the proposed discharge is for shore protection within the Counties in Indiana listed below (regardless of the acreage or linear foot limitations) the RGP notification form must be submitted to the IDEM and the Corps. Those Counties are: Adam, Allen, DeKalb, Elkhart, Jasper, Kosciusko, LaPorte, Lagrange, Lake, Marshall, Newton, Noble, Porter, St. Joseph, Starke, Steuben and Whitley Counties. Also, if the proposed discharge is for shore protection on Morse or Geist Reservoirs the RGP Notification form must be submitted to the Corps and the IDEM regardless of the location, acreage and/or linear foot limitations.

Any request for authorization under the RGP must provide the following information:

- 1. Name, address, and phone number of the permittee.
- 2. Location of the proposed work to include Section, Township, Range, latitude and longitude or UTM.
- 3. A detailed description of the project, its purpose, the dimensions including the size of the structure or the fill area, fill quantity and type of fill being used.
- 4. Drawings on 81/2 x 11-inch paper must include a location map, plan

- and cross-section drawings illustrating all the work to be done. The application drawings must provide a scale and/or the exact dimensions given.
- 5. A mitigation and monitoring plan, if applicable. For any project that impacts jurisdictional wetlands, a wetland delineation report is required and must conform to the Corps of Engineers' Wetland Delineation Manual, Technical Report Y-87-1.

<u>Implementation Procedures:</u>

- 1. Applicants proposing to conduct work in navigable waters or discharge dredged and/or fill material into all waters of the United States, including wetlands, must submit the applicable application or notification form to the IDEM and the Corps as described in the Notification/Application section.
- 2. The Districts will review all applications for project compliance with the terms, maximum limitations, and general conditions. Any individual project that fails to comply with all conditions would not be authorized by the RGP. The Districts will review the proposal to determine the coordination requirements with the USFWS in accordance with the Endangered Species Act and with the SHPO in accordance with the National Historic Preservation Act. (see General Conditions 13 and 14). Applicants will be notified if additional information is required to comply with these requirements.
- 3. The applicant must immediately provide a copy of the 401 WQC to the appropriate Corps District. The District will respond in writing to all requests within 45 days.
- 4. The Districts may, at their discretion, determine that the RGP is not appropriate and require an individual permit review of the proposal.

Excluded Activities:

- 1. Activities that are denied any required Federal, State or local authorization.
- 2. Activities that the Districts determine to have the potential to cause unacceptable adverse impacts on aquatic resources or other public interest factors. The Districts may on a case by case basis require an individual DA permit. The Districts will notify the applicant that the project does not qualify for the RGP and instruct the applicant on the procedures to seek authorization under the standard individual DA permit. The Districts may also require an individual DA permit for any after-the-fact applications and/or any unauthorized activity regardless of whether or not the discharge meets the 1-acre threshold limitation.

<u>Proposed General Conditions:</u>

1. Discharges of dredged or fill material into waters of the United States must be minimized or avoided to the maximum extent practicable at the project site (i.e. on-site). The permittee shall provide a mitigation/monitoring plan for any activity where the adverse impact on special aquatic sites exceeds 0.10 acre (4,356 sq. ft.) or is determined to be more than minimal impact. In

determining the minimal impact threshold, the Districts will consider the direct and secondary impacts of the fill or work and any mitigation measures. A wetland delineation report is also required. NOTE: An important element of mitigation for projects in or near streams, or other open waters and wetlands is the requirement for vegetated buffers. Therefore, all mitigation plans should include a minimum 50-foot wide buffer between the edge of the project site and the waters and/or wetlands to be affected unless a lesser distance has been specifically approved under the RGP.

- 2. The permittee shall, if mitigation is required, develop the mitigation site concurrently with site construction. This will assure that aquatic functions are not lost for long periods of time that could adversely affect water quality and wildlife.
- 3. The permittee shall ensure that sedimentation and soil erosion control measures are in place prior to any construction activity. This shall include the installation of straw bale barriers, silt fencing and/or other approved methods to control sedimentation and erosion.
- 4. The permittee shall ensure that areas disturbed by any construction activity, including channel banks, are immediately stabilized and re-vegetated with a combination of grasses, legumes and shrubs compatible to the affected area.
- 5. The permittee shall ensure that all in-stream construction activity is not performed during periods of high stream flow or during the fish spawning season between April 1 and June 30 without first contacting the IDNR, Division of Fish and wildlife for their expertise on impacts to the fishery resource. Additionally, the discharge of dredged and/or fill material in known waterfowl breeding areas must be avoided to the maximum extent practicable.
- 6. The permittee will ensure that the activity authorized will not disrupt movement of those aquatic species indigenous to the waterway, including those species which normally migrate through the area unless the activity's specific purpose is to impound water.
- 7. The permittee shall ensure that all construction equipment is refueled and maintained on an upland site away from any existing streams, drainage ways and wetland areas. Heavy equipment working in wetlands must be placed on mats, or other measures taken to minimize soil disturbance.
- 8. The permittee must provide a copy of the site specific State 401 WQC before the Corps will authorize a project under the RGP.
- 9. The permittee must comply with any case specific conditions added by the Corps or by the State 401 WQC. The conditions imposed in the State 401 WQC are also conditions of the RGP.
- 10. The permittee shall assure that no activity authorized by the RGP may cause more than minimal adverse impact on navigation.
- 11. The permittee shall ensure proper maintenance of any structure or fill authorized by this RGP, including maintenance to ensure public safety.
- 12. The permittee shall not perform any work within any Wild and Scenic Rivers or in any river officially designated as a "study river" for possible inclusion in the system, unless the appropriate Federal agency with direct management responsibility for such river, has

- determined in writing that the proposed activity authorized by the RGP will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g. Forest Service, Bureau of Land Management or the U.S. Fish and Wildlife service).
- 13. The permittee shall not perform any work under the RGP that is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such species. The permittee shall notify the District Engineer if any listed species or critical habitat might be affected or is in the vicinity of the project, and shall not begin work under the RGP until notified by the District Engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. Authorization of an activity under the RGP does not authorize the "take" of a threatened or endangered species as defined under the Federal Endangered Species Act. In the absence of separate authorization (e.g. an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act.
- 14. The permittee shall not perform any activity under the RGP which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places until the District Engineer has complied with the provisions of 33 CFR Part 325, Appendix C. The permittee must notify the District Engineer if any activity authorized by the RGP may affect any historic properties listed, determined to be eligible or which the permittee has reason to believe may be eligible for listing in the National Register of Historic Places, and shall not begin construction until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology. If the permittee discovers any previously unknown historic or archaeological remains while accomplishing the activity authorized by the RGP, work must immediately stop and this office immediately notified of what has been found. The District will initiate the Federal, Tribal and State coordination required to determine if the remains warrant a recovery effort or if the site is eliqible for listing in the National Register of Historic Places.
- 15. The permittee shall not perform any work under the RGP where the discharge of dredged and/or fill material would occur in the proximity of a public water supply intake except where the activity is for the repair of the public water supply structure or adjacent bank stabilization.
- 16. No activity, including structures and work in navigable waters of the United States or discharges of dredged or fill material may consist of unsuitable materials (e.g. trash, debris, car bodies,

- asphalt, etc.) and that materials used for construction or discharge must be free from toxic pollutants in toxic amounts.
- 17. The permittee shall, to the maximum extent practicable, design the project to maintain pre-construction downstream flow conditions. Furthermore, the work must not permanently restrict or impede the passage of normal expected high flows (unless the primary purpose is to impound water) and the structure or discharge of fill must withstand expected high flows. The project must provide, to the maximum extent practicable, for retaining access flows from the site and for establishing flow rates from the site to preconstruction conditions.
- 18. The permittee shall ensure that if the activity approved by the RGP includes the impoundment of water, measures will be taken to minimize adverse effects on the aquatic ecosystem caused by the accelerated passage of water and/or the restriction of flow.
- 19. The permittee shall ensure that all temporary fills, authorized under the RGP, be removed in their entirety and the affected areas returned to pre-construction elevation.
- 20. Representatives from the Corps of Engineers and/or IDEM may inspect any authorized activity or mitigation site at any time deemed necessary to ensure compliance with the terms and conditions of the RGP, Section 401 WQC, and applicable laws.
- 21. All work authorized by the RGP must be completed by the expiration date of this RGP or 1 year after the date of the Corps authorization letter, whichever occurs later. If additional time is needed, the permittee may submit the request for a time extension to the District Engineer at least 3 months before the expiration date.
- 22. The permittee after completion of the work under the RGP shall submit a signed certification letter regarding the completed work and required mitigation, if applicable. The certification letter will include a statement that the work was done in accordance with the RGP authorization including compliance with all general and special conditions and completion of mitigation work.

Effective Period:

The reissued RGP would be effective for a new five (5) year period. At the end of the period, it will be again reevaluated and a decision made whether or not the permit should be renewed. The District Engineer, may at any time during the 5-year period, alter, modify, or revoke this permit if he deems such action to be in the public interest. Preliminary review of this RGP (including the reviews of the initial RGP) indicates that an Environmental Assessment (EA) is adequate and that an Environmental Impact Statement (EIS) will not be required. However, prior to the re-issuance of this RGP, a new EA will be prepared and will be available in the District Office of each Corps District. During the effective period, this proposal will be evaluated to determine whether any work to be authorized by the RGP would cause any major controversy or result in any detrimental impacts to the public interest. The District Engineer's decision to seek renewal of the RGP would be based on this evaluation.

Status of Nationwide Permits:

The following Nationwide Permits have been suspended and are not available in Indiana:

- 7. Outfall Structures
- 11. Temporary Recreational Facilities
- 13. Bank Stabilization
- 14. Road Crossings
- 15. U.S. Coast Guard Approved Bridges
- 18. Minor Discharges
- 19. Minor Dredging
- 25. Structural Discharges
- 26. Reserved
- 29. Single Family Housing
- 36. Boat Ramps
- 39. Residential Commercial and Institutional Developments
- 40. Agricultural Activities
- 41. Reshaping Existing Drainage ditches
- 42. Recreational Facilities
- 43. Stormwater Management Facilities
- 44. Mining Activities

These NWPs have been replaced with the RGP and no changes are proposed. The status of all NWPs in Indiana is listed in the table attached to this notice.

Public Hearing:

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this action. A request for a public hearing must state, with particularity, the reason for holding a public hearing.

Decision Guidelines:

The decision whether to reissue this RGP will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. benefits that reasonably may be expected to accrue must be balanced against the reasonably foreseeable detriments. All factors that may be relevant to this action will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people. In addition, the evaluation of the impact of the RGP on the public interest will include application of the guidelines (40 CFR 230) promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the CWA for discharges of dredged or fill material. This RGP will be adopted unless its issuance is found to be contrary to the public interest. Written statements received in this

office before the closing date will be made part of the record and will be considered in the determination.

Review Procedures:

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the potential impact of this RGP. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, add conditions or not reissue this RGP. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above.

Comments are used in the preparation of the EA previously mentioned and/or an EIS in conformance with the National Environmental Policy Act. Comments are also used to determine the need for a public hearing as stated above and to determine the overall public interest as well to reissue this RGP.

Written statements received in this office on or before the closing date will become part of the official record and will be considered in the determination on re-issuance of the RGP. Any objections that are received during this period will be evaluated before the determination is made whether to reissue this RGP. A new RGP will be issued unless the issuance is found to be contrary to the public interest.

Section 401 Water Quality Certification

This Public Notice serves as the notice for a Clean Water Act Section 401 application for water quality certification from the IDEM. The IDEM will again review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 ICA 2. They will consider the comments regarding this proposal postmarked by the closing date of this notice. Comments to the IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana 46206-6015.

Endangered Species

We will review the proposed RGP for potential impacts on threatened or endangered species pursuant to Section 7 of the Endangered Species Act, as amended. The following species are, or potentially are present in the vicinity: Indiana bat, gray bat, Karner blue butterfly, Mitchell's Satyr butterfly, bald eagle, Pitcher's thistle, Mead's milkweed, fanshell, clubshell, northern riffleshell, white cats paw pearly mussel, fat pocketbook pearlymussel, tubercled blossom pearlymussel, pink mucket pearlymussel, cracking pearlymussel, rough pigtoe, orangefoot pimpleback pearlymussel, ring pink mussel, copperbelly watersnake, and piping plover. We invite information and/or comments regarding the potential presence of, or impacts to, any listed species or critical habitat.

Regulatory Branch (North) ID No. 19900459

<u>Cultural Resources</u>

The District's staff has reviewed existing information on historic properties potentially affected by the proposed regional permit, including the National Register of Historic Places. Based on the location of projected impacts in waters and wetlands, impacts on these features, or any other known sites eligible for or listed on the National Register of Historic Places are not expected. The District Engineer invites responses to the Public Notice from federal, state and local agencies, historical and archaeological societies, Indian Tribes, and other parties likely to have knowledge of or concerns with historic properties in the area.

All comments regarding the re-issuance of the RGP should be addressed to Ms. Amy S. Babey, CEORL-OP-FN at the address noted above and should refer to Public Notice No. 199900459-asb. Additionally, comments can be submitted by e-mail at Amy.S.Babey@LRL02.usace.army.mil.

JAMES M. TOWNSEND Operations Division Louisville District

GARY R. MANNESTO Chief, Regulatory Branch Chief, Regulatory Branch Construction-Operations Division
Detroit District

STATUS OF NATIONWIDE PERMITS AND CONDITIONS IN INDIANA

	ТҮРЕ	SYMBOL	
Suspende	(*)		
No Water	(-)		
Water Qu	(C)		
Water Qu	(D)		
Water Qu	Water Quality Certification Issued (without conditions)		
	•		
	WIDE PERMITS:		
	Aids to Navigation	(-)	
	Structures in Artificial Canals	(-)	
3.	Maintenance	(C)	
4.	Fish and Wildlife harvesting, Enhancement, and attraction Devices and	(I)	
Activ	vities		
5.	Scientific Measurement Devices	(I)	
6.	Survey Activities	(I)	
7.	Outfall Structures	(*)	
8.	Oil and Gas Structures	(C)	
9.	Structures in Fleeting and Anchorage Areas	(I)	
	Mooring Buoys	(-)	
	Femporary Recreational Structures	(*)	
	Utility Line Discharges	(C)	
	Bank Stabilization	(*)	
	Road Crossings	(*)	
	U.S. Coast Guard Approved Bridges	(*)	
	Return Water from Upland Contained Disposal Areas	(C)	
	Hydropower Projects	(D)	
	Minor Discharges	(*)	
	Minor Dredging	(*)	
	Oil Spill Cleanup	(D)	
	Surface Coal Mining Activities	(I)	
	Removal of Vessels	(I)	
	Approved Categorical Exclusions	(D)	
	State Administered Section 404 Programs	(I)	
	Structural Discharges	(*)	
	Reserved	(-)	
	Wetland and Riparian Restoration and Creation Activities	(C)	
	Modification of Existing Marinas	(C)	
	Single Family Housing	(*)	
	Moist Soil Management for Wildlife	(I)	
	Maintenance of Existing Flood Control Projects	(D)	
	Completed Enforcement Actions	(D)	
	Femporary Construction, Access and Dewatering	(I)	
	Cranberry Production Activities	(D)	
	Maintenance Dredging of Existing Basins	(-)	
	Boat Ramps	(*)	
	Emergency Watershed Protection and Rehabilitation	(C)	
	Clean up of Hazardous and Toxic Waste	(D)	
	Residential, Commercial, and Institutional Developments	(*)	
	Agricultural Activities	(*)	
	Reshaping Existing Drainage Ditches	(*)	
42.	Recreational Facilities	(*)	
43.	Stormwater Management Facilities	(*)	
44.	Mining Activities	(*)	